

HOUSE BILL 598
By Curtiss

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 120, relative to building codes and
standards.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-120-101, is amended by deleting in its entirety subsection (a)(2), and by substituting instead the following:

(2) May be selected wholly or partially from publications or amended versions of nationally recognized agencies or organizations, such as the International Code Council, Inc., the National Fire Protection Association, Inc., and Underwriters Laboratories, Inc.;

SECTION 2. Tennessee Code Annotated, Section 68-120-101, is amended by deleting subsection (b)(2) in its entirety and by substituting the following:

(2) However, such standards do not apply to any building, other than state buildings or educational occupancies, located within the jurisdiction of a local government which certifies in writing to the state fire marshal that:

(A) It has adopted a building construction safety code consisting of the International Building Code (published by the International Code Council, Inc.) and either:

(i) The International Fire Code (published by the International Code Council, Inc.); or

(ii) The Uniform Fire Code (published by the National Fire Protection Association, Inc.); and

(B) It is adequately enforcing its code, and is performing any reviews of construction plans and specifications required by the state fire marshal under subsection (d).

(C) In no instance will any code be adopted that is any less stringent than those codes adopted by the state fire marshal.

SECTION 3. Tennessee Code Annotated, Section 68-120-101(b), is amended by deleting subdivision (3)(C) in its entirety.

SECTION 4. Tennessee Code Annotated, Section 68-120-204, is amended by deleting subsection (a)(1) in its entirety and by substituting instead the following:

(1) Any public building which is constructed, enlarged, or substantially altered or repaired after July 1, 1983, shall be designed and constructed pursuant to specifications, approved by the responsible authority, making such buildings accessible to and usable by physically handicapped persons. The minimum specifications, except as provided in § 68-120-205, shall be those that the state fire marshal determines by rule. The minimum specifications for a project shall be those in effect at the time the project is submitted to the responsible authority for final approval of the construction, enlargement, alteration or repair.

SECTION 5. Notwithstanding the provisions of §4-5-209, the state fire marshal is authorized to promulgate public necessity rules pursuant to the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, to implement the provisions of this act. For all other purposes, this act shall take effect July 1, 2005, the public welfare requiring it.